

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Angela Nails,

Civil No. 13-3145 (DWF/JSM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

US Bank NA, ND,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated November 20, 2013. (Doc. No. 3.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Janie S. Mayeron's November 20, 2013 Report and Recommendation (Doc. No. [3]) is **ADOPTED**.
2. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.
3. This action is summarily **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(h)(3).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 11, 2013

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge